

REMARKS

A continuing application (Attorney Docket No. 283-392.12DIV) was filed February 15, 2008. Continuing application (Attorney Docket No. 283-392.12DIV) is a divisional of U.S. Patent Application No. 10/669,894, which is related to the present application.

With the present application being set for issuance and continuing application (Attorney Docket No. 283-392.12DIV) awaiting an initial examination, it is believed that continuing application (Attorney Docket No. 283-392.12DIV) could not qualify as a reference against the present application. Also, the claims of the mentioned 283-392.12DIV application are believed to be distinct relative to the claims of the present application. Nevertheless, if the issuance of the present application were to become delayed such that the present application issues after continuing application (Attorney Docket No. 283-392.12DIV), then continuing application (Attorney Docket No. 283-392.12DIV) could qualify as a reference for assertion in an obviousness type double patenting rejection.

Applicants respectfully request the Patent Office to advise the applicants if the issuance of the present application is expected to become delayed such that it could issue after the issuance of continuing application (Attorney Docket No. 283-392.12DIV).

If the Examiner believes that contact with applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call applicants' representative at the phone number listed below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289.

Application No. 10/669,896
Notice dated February 20, 2008
Notice of Continuing Application

Docket No.: 283_392.11

Dated: February 20, 2008

Respectfully submitted,

By George S. Blasiak

George S. Blasiak

Registration No.: 37,283

MARJAMA MULDOON BLASIAK & SULLIVAN LLP

250 South Clinton Street

Suite 300

Syracuse, New York 13202

(315) 425-9000

Customer No.: 20874